(c) the estimated share of patent and non-patent drugs in the growth rate of this industry and the rate of growth of this industry in the domestic and international market between 2009 and 2015?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI SRIKANT JENA): (a) to (c) The sales of Drugs and Pharmaceuticals are expected to grow by 8.7% during 2009-10, according to Centre for Monitoring of Indian Industries, Nov. 2009. During 2007-08, the total Pharmaceutical market size was Rs. 78610 Crores. No official estimates of market size for future years has been made.

Memorandum regarding Bhopal Gas leak disaster

3277. SHRI D. RAJA:

SHRI R.C. SINGH:

Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether the Bhopal Gas Peedith Mahila Udyog Sangathan (BGPMUS) and Bhopat Gas Peedith Sangharash Sahayog Samiti (BGPSSS) have submitted a memorandum titled ' The Bhopal Gas Leak Disaster: Twenty five year after' to the Prime Minister; and

(b) if so, the details of their demand and Government's reaction thereto?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI SRIKANT JENA): (a) and (b) No such memorandum titled 'The Bhopal Gas Leak Disaster: Twenty five year after' from Bhopal Gas Peedith Mahila Udyog Sangathan (BGPMUS) and Bhopal Gas Peedith Sangharash Sahayog Samiti (BGPSSS) was received by the Prime Minister's Office in the recent past.

Imported finished medicines

3278. SHRI VIJAY JAWAHARLAL DARDA: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) the names, pharmacopoeial contents and quantity of finished medicines that have been allowed to be imported when the same is available in the country at lower prices;

(b) whether it is a fact that there are no inter-ministerial meetings on import of finished medicines being imported at higher prices and fixations of maximum retail price;

(c) whether such finished medicines are being sold with higher maximum retail price and Government has failed to check the high promotional expenses of the importers unethically being passed on to the medicine profession; and

(d) the reasons for not regulating the import price of finished medicines with quality and affordability?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI SRIKANT JENA): (a) and (b) Drug Industry are broadly spelt out under Chapter 29 and 30 of ITC

(HS) Classifications of Export and Import Items. Most of these items are free and therefore, no licence is required. However, for few Chemicals which are under Restricted List the cases are decided by Export Facilitation Committee which comprises of representatives of various Departments. The prices of scheduled formulations are fixed by National Pharmaceutical Pricing Authority (NPPA). The NPPA consists of officials of NPPA, Ministry of Finance and Drugs Controller General (India).

(c) and (d) There are 74 bulk drugs specified in the First Schedule of DPCO, 1995. As per provisions contained in the said Order, NPPA fixes/ revises the prices of formulations containing any of the 74 scheduled bulk drugs. The prices are fixed/revised as per paragraph 7 of DPCO, 1995.

In the case of imported scheduled formulations, the landed cost forms the basis of fixing its price along with such margin to cover selling and distribution expenses including interest and importer's profit which shall not exceed fifty per cent of the landed cost. For the purpose of this provision, "landed cost" means the cost of import of formulation inclusive of customs duty and clearing charges.

There were some reports in the newspapers in the recent past regarding promotional expenses being made by the Pharma Companies. The reports suggest that some unethical marketing practices are being followed by certain pharma companies. Keeping in view the seriousness of the allegations made in the medical reports, this Department felt the need to take up the matter in the interest of the consumers/patients as such promotional expenses being extended to doctors had direct implications on the pricing of drugs and its affordability. After discussing the issues with the Pharma Associations/Industry, this Department has been able to persuade most of the associations to have Code of ethics.

Organization of Pharmaceutical Producers of India (OPPI) and Indian Drug Manufacturers' Association ((DMA) have informed that they along with Confederation of Indian Pharmaceutical (CIPI), Federation Pharmaceutical Enterpreneurs (FOPE), Indian Pharmaceutical Alliance (IPA) and SME Pharma Industries Confederation (SPIC) have worked out the 'Uniform Code of Pharmaceutical Marketing Practices' (UCMP). However, in a news article appearing in The Economic Times, Delhi dated 11.12.2009, it has been reported that a Senior Vice-chairman, SPIC has stated that they do not agree with the draft proposal. This Department has written to IDMA and OPPI to clarify the above statement.

No one can sell any scheduled drugs/formulations at a price higher than that fixed by NPPA/Govt. Prices are fixed as per paragraph 7 of DPCO, 1995. The prices of non-scheduled imported finished formulations are not fixed by NPPA. NPPA, however, monitors the price movement of non-scheduled formulations The monthly reports of ORG IMS and the information furnished by individual manufacturers are utilized for the purpose of monitoring prices of non-scheduled formulations. Whenever a price increase beyond 10% per annum is noticed, the manufacturer is

asked to bring down the price voluntarily failing which, subject to prescribed conditions, action is initiated under paragraph 10(b) of the DPCO, 1995 for fixing the price of the formulation in public interest.

Acquisition of pharma units by multinational companies

†3279. SHRI LALIT KISHORE CHATURVEDI: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether it is a fact that the disinvestment and accession by multinational companies have increased in the areas of drug research and drug manufacturing in Indian pharma industry;

(b) if so, the reasons for Indian companies selling their shares to multinational companies;

(c) whether foreign patent laws and politics are hurdles in the progress of Indian pharma industry and instrumental in increase in accession of multinational companies in the country; and

(d) the details of planning of Government to check the monopoly of foreign pharma companies in the country?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI SRIKANT JENA): (a) to (d) At present 100% FDI is allowed in the Pharmaceutical sector. Acquisitions, strategic takeovers, mergers etc. are taking place both ways - by Indian companies overseas and by foreign companies in India to broaden their scope of functioning across the globe. Sector specific policy interventions may be required through a study to conform to the broad policy objectives of the Govt. of India on FDI flows.

Land of closed units

3280. SHRI TAPAN KUMAR SEN: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) the details of quantity of land along with character of usage of Land possessed by closed units of HFCL, FCIL, and PPCL for factory and township purposes separately and the valuation of the same based on present market rate, unit-wise;

(b) the reasons for the land in possession of those closed units being allowed to remain idle since last seven or eight years and not being returned to respective State Governments which had given the land on lease; and

(c) whether there is any proposal to rehabilitate the units and requisite permission has been obtained from respective State Government with details thereof, unit- wise?

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†Original notice of the question was received in Hindi.